



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,524	01/21/2004	Wei-Hong Wang	2019-0236P	1104
2292	7590	04/04/2006	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			RIELLEY, ELIZABETH A	
			ART UNIT	PAPER NUMBER
			2879	

DATE MAILED: 04/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/760,524

Applicant(s)

WANG, WEI-HONG

Examiner

Elizabeth A. Rielley

Art Unit

2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s), _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-22 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Amendment filed 12/16/05 has been entered and considered by the Examiner. Claims 23-25 have been canceled. Currently, claims 1-22 are pending in the instant application.

Election/Restrictions

Applicant's election with traverse of claims 1-22 in the reply filed on 12/16/05 is acknowledged. The traversal is on the grounds that an examination of two similar inventions does not constitute a serious burden on the Examiner. This is not found persuasive because even if the Applicant does not consider the examination a burden, the election-restriction is based on the two different inventions, namely, the device and the process for manufacturing. An examination of the device does not mean that the references used to reject it will automatically be used to reject the manufacturing process, since both inventions have different features of limitations. Thus, the serious burden on the Examiner of having to search all the features of limitations directed to different inventions and to reject each invention using different references is eliminated by the proper election of invention requirement. Moreover, when searching only the elected invention, there will not be a need to search for features not stated in the elected invention, thus resulting in a reduction of the workload and in a simplification of the prosecution of the application.

The requirement is still deemed proper and is therefore made **FINAL**.

DETAILED ACTION

Response to Amendment

Amendment filed 12/16/05 has been entered and considered by the Examiner. Claims 23-25 have been canceled. Currently, claims 1-22 are pending in the instant application.

Election/Restrictions

Applicant's election with traverse of claims 1-22 in the reply filed on 12/16/05 is acknowledged. The traversal is on the grounds that an examination of two similar inventions does not constitute a serious burden on the Examiner. This is not found persuasive because even if the Applicant does not consider the examination a burden, the election-restriction is based on the two different inventions, namely, the device and the process for manufacturing. An examination of the device does not mean that the references used to reject it will automatically be used to reject the manufacturing process, since both inventions have different features of limitations. Thus, the serious burden on the Examiner of having to search all the features of limitations directed to different inventions and to reject each invention using different references is eliminated by the proper election of invention requirement. Moreover, when searching only the elected invention, there will not be a need to search for features not stated in the elected invention, thus resulting in a reduction of the workload and in a simplification of the prosecution of the application.

The requirement is still deemed proper and is therefore made **FINAL**.

A further restriction requirement is now listed.

This application contains claims directed to the following patentably distinct species of the claimed invention:

Species 1, a method of fabricating a photocatalytic fluorescent lamp using an acid-type of anatase, see page 8, first full paragraph (see claim 2).

Species 2, a method of fabricating a photocatalytic fluorescent lamp using a base-type of anatase, see page 8, first full paragraph (see claim 3).

Species 3, a method of fabricating a photocatalytic fluorescent lamp by first mixing the chelating and Ti(OR) then adding water as described on page 8 lines 18-31 (see claim 4).

Species 4, a method of fabricating a photocatalytic fluorescent lamp by first mixing the chelating and water, then doping with Ti(OR) as described on page 8 lines 29-31 (see claim 5).

Species 5, a method of fabricating a photocatalytic fluorescent lamp, the step of coating the anatase TiO₂ solution comprises coating the anatase TiO₂ on the glass **before** the lamp is fabricated, see page 11 line 29 to page 12 line 8 (see claim 7).

Art Unit: 2879

Species 6, a method of fabricating a photocatalytic fluorescent lamp, the step of coating the anatase TiO₂ solution comprises coating the anatase TiO₂ on the glass *after* the lamp is fabricated, see page 12 lines 10-16 (see claim 6).

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claims 1, 8, and 9 are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

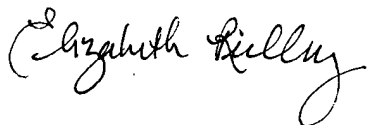
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth A. Rielley whose telephone number is 571-272-2117. The examiner can normally be reached on Monday - Friday 7:30 - 4:00.

Art Unit: 2879


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar Patel can be reached on 571-272-2457. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Elizabeth Rielley

Examiner
Art Unit 2879

 3/20/06
MARICELI SANTIAGO
PRIMARY EXAMINER